



Crl.R.C.(MD)No.696 of 2024

WEB COPY

BEFORE THE MADURAI BENCH OF MADRAS HIGH COURT

DATED: 13.08.2024

CORAM

THE HON'BLE MR.JUSTICE K.MURALI SHANKAR

Crl.R.C.(MD)No.696 of 2024

Alagappan

... Petitioner

Vs.

The Sub-Inspector of Police,
Kottampatti Police Station,
Madurai District.
(Crime No.8 of 2024)

... Respondent

PRAYER : Criminal Revision Case filed under Section 499 BNSS, to call for the records relating to the order dated 07.06.2024 in Cr.M.P. No.2314 of 2024 on the file of the learned Judicial Magistrate, Melur and set aside the same and consequently allow the present criminal revision case.

For Petitioners : Mr.J.Anandkumar

For Respondent : Mr.K.Sanjai Gandhi,
Government Advocate (Crl. Side)



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ORDER

This criminal revision case is directed against the order passed in Cr.M.P.No.2314 of 2024 dated 07.06.2024 by the learned Judicial Magistrate, Melur.

2.The petitioner, who is the defacto complainant, has lodged a complaint for the theft of 300 pipes, out of which 206 pipes were recovered and hence, he has filed a petition for return of property before the learned Judicial Magistrate, Melur. The learned Magistrate has allowed the said petition on condition that the petitioner should execute a bond for a sum of Rs.45,00,000/- on his own and further, he should execute a bond for a sum of Rs.45,00,000/- with single surety. The learned Magistrate has further directed the petitioner to take the photo of the property (wrongly mentioned as vehicle) in all angles and to produce the photo copy with C.D. signed by the Investigating Officer, before the concerned Court.

3.As rightly contended by the learned counsel appearing for the petitioner and admitted by the learned Government Advocate(Crl.side)



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that the ownership of the property is not in dispute and that the petitioner is the contractor, who has got permission to lay the pipes.

4.Considering the above, the condition imposed by the learned Magistrate appears to be onerous. Therefore, the condition Nos.1 and 2 imposed by the learned Judicial Magistrate, Melur vide order dated 07.06.2024 made in Cr.M.P.No.2314 of 2024 are hereby set aside and the petitioner is directed to execute a bond for a sum of Rs.10,00,000/- (Rupees Ten Lakhs only) with one surety for similar amount. The other conditions imposed by the learned Magistrate shall remain intact.

5.With the above modification, this criminal revision case is allowed.

13.08.2024

NCC : Yes / No
Index : Yes / No
Internet : Yes / No
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K.MURALI SHANKAR,J.

gns

To

- 1.The Judicial Magistrate, Melur.
- 2.The Sub-Inspector of Police,
Kottampatti Police Station,
Madurai District.
- 3.The Additional Public Prosecutor,
Madurai Bench of Madras High Court,
Madurai.

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